



100 Meridian Centre
Suite 250
Rochester, NY 14618-3979

Director - Regulatory Affairs & Contract Management
Phone: (585) 340-5400, x150
Fax: (585) 340-5401
mnighan@americanfibersystems.com

February 3, 2006
Via Overnight Carrier

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th. Street SW
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

RECEIVED & INSPECTED

FEB 6 2006

FCC - MAILROOM

Re: Certification of CPNI Filing, Feb. 3, 2006
EB-06-TC-060
EB Docket No. 06-36

Secretary Dortch:

As required by the Commission's Public Notice of January 30, 2006 *American Fiber Systems, Inc.* hereby submits one (1) original and four (4) copies of its CPNI Safeguards Compliance Certificate and its Statement of CPNI Operating Procedures.

Please date stamp and return the receipt copy of this letter in the SASE provided.

Sincerely,

A handwritten signature in cursive script, reading "Michael J. Nighan".

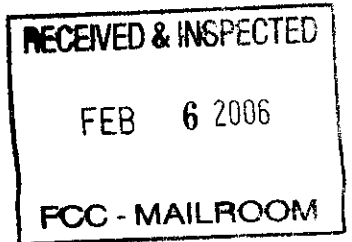
Michael J. Nighan
Director - Regulatory Affairs & Contract Management

xc: Bryon McCoy, Enforcement Bureau
Best Copy and Printing, Inc.

No. of Copies rec'd
List ABCDE

044

AMERICAN FIBER SYSTEMS, INC.



Statement of CPNI Operating Procedures
February 3, 2006

- 1) American Fiber Systems, Inc. ("AFS") is a provider of High Capacity Competitive Local Exchange Carrier telecommunications services.
- 2) Although holding a Global Resale International Telecommunications Certificate from the Commission, AFS does not provide any form of international service. Nor does AFS provide any form of interstate, interexchange or intraLATA service.
- 3) Neither does AFS offer any form of Commercial Mobile Radio Service.
- 4) Therefore, AFS' customers do not have the ability to subscribe with AFS for services within the "interexchange" or "CMRS" categories.
- 5) Further, AFS does not release CPNI to any third party, including affiliates. Nor does AFS engage in any marketing campaigns which utilize CPNI.
- 6) Thus, all CPNI obtained by AFS is retained for the exclusive use of AFS and used solely for the provisioning of telecommunications services within the "local" telecommunications category.

Accordingly AFS makes no use of CPNI in any manner which would require AFS to obtain approval from its customers. As such, AFS believes its current operations do not fall under the CPNI protection requirements established by 47CFR64.2001 - 64.2009. AFS is of course cognizant of its obligations to protect CPNI and will immediately implement such protective measures when its sales and/or marketing operations warrant the same.

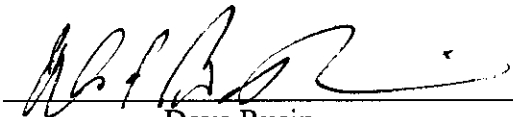
RECEIVED & INSPECTED

FEB 6 2006

FCC - MAILROOM

CERTIFICATE OF COMPLIANCE

I, Dave Rusin, Chief Executive Officer and agent of American Fiber Systems, Inc., hereby certify that I have personal knowledge that American Fiber Systems, Inc. has established all operating procedures necessary to ensure that AFS is in compliance with the applicable requirements of 47CFR64 Subpart U - Customer Proprietary Network Information.

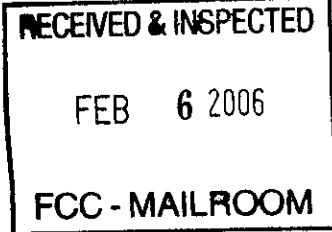


Dave Rusin
Chief Executive Officer

Date: February 3, 2006

AMERICAN FIBER SYSTEMS, INC.

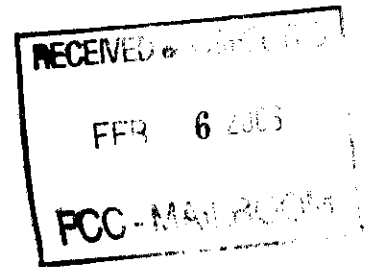
Statement of CPNI Operating Procedures
February 3, 2006



- 1) American Fiber Systems, Inc. ("AFS") is a provider of High Capacity Competitive Local Exchange Carrier telecommunications services.
- 2) Although holding a Global Resale International Telecommunications Certificate from the Commission, AFS does not provide any form of international service. Nor does AFS provide any form of interstate, interexchange or intraLATA service.
- 3) Neither does AFS offer any form of Commercial Mobile Radio Service.
- 4) Therefore, AFS' customers do not have the ability to subscribe with AFS for services within the "interexchange" or "CMRS" categories.
- 5) Further, AFS does not release CPNI to any third party, including affiliates. Nor does AFS engage in any marketing campaigns which utilize CPNI.
- 6) Thus, all CPNI obtained by AFS is retained for the exclusive use of AFS and used solely for the provisioning of telecommunications services within the "local" telecommunications category.

Accordingly AFS makes no use of CPNI in any manner which would require AFS to obtain approval from its customers. As such, AFS believes its current operations do not fall under the CPNI protection requirements established by 47CFR64.2001 - 64.2009. AFS is of course cognizant of its obligations to protect CPNI and will immediately implement such protective measures when its sales and/or marketing operations warrant the same.

CERTIFICATE OF COMPLIANCE



I, Dave Rusin, Chief Executive Officer and agent of American Fiber Systems, Inc., hereby certify that I have personal knowledge that American Fiber Systems, Inc. has established all operating procedures necessary to ensure that AFS is in compliance with the applicable requirements of 47CFR64 Subpart U - Customer Proprietary Network Information.


Dave Rusin
Chief Executive Officer

Date: February 3, 2006